

## § 435.1

435.36–435.40 [Reserved]

### Subpart D—Payload Reentry Review and Determination

435.41 General.

435.43 Payload reentry review requirements and procedures.

435.44–435.50 [Reserved]

### Subpart E—Post-Licensing Requirements—Reentry License Terms and Conditions

435.51 General.

435.52–435.60 [Reserved]

### Subpart F—Environmental Review

435.61 General.

435.62–435.70 [Reserved]

AUTHORITY: 51 U.S.C. 50901–50923.

SOURCE: Docket No. FAA–1999–5535, 65 FR 56665, Sept. 19, 2000, unless otherwise noted.

## Subpart A—General

### § 435.1 Scope.

This part prescribes requirements for obtaining a license to reenter a reentry vehicle other than a reusable launch vehicle (RLV), and post-licensing requirements with which a licensee must comply to remain licensed. Requirements for preparing a license application are contained in part 413 of this subchapter.

### § 435.3 Types of reentry licenses.

(a) *Reentry-specific license.* A reentry-specific license authorizes a licensee to reenter one model or type of reentry vehicle, other than an RLV, to a reentry site or other location approved for the reentry. A reentry-specific license may authorize more than one reentry and identifies each reentry authorized under the license. A licensee's authorization to reenter terminates upon completion of all activities authorized by the license or the expiration date stated in the reentry license, whichever occurs first.

(b) *Reentry-operator license.* A reentry operator license authorizes a licensee to reenter any of a designated family of reentry vehicles, other than an RLV, within authorized parameters, including trajectories, transporting specified classes of payloads to any reentry site designated in the license. A reentry op-

## 14 CFR Ch. III (1–1–13 Edition)

erator license is valid for a 2-year renewable term.

### § 435.5 Policy and safety approvals.

To obtain a reentry license, an applicant must obtain policy and safety approvals from the FAA. Requirements for obtaining these approvals are contained in subparts B and C of this part. Only a reentry license applicant may apply for the approvals, and may apply for either approval separately and in advance of submitting a complete license application, using the application procedures contained in part 413 of this subchapter.

### § 435.7 Payload reentry determination.

(a) A payload reentry determination is required to transport a payload to Earth on a reentry vehicle unless the proposed payload is exempt from payload review.

(b) A payload reentry determination made under a previous license application under this subchapter may satisfy the requirements of paragraph (a) of this section.

(c) The FAA conducts a review, as described in subpart D of this part, to make a payload reentry determination. Either a reentry license applicant or a payload owner or operator may request a review of the proposed payload using the application procedures contained in part 413 of this subchapter. Upon receipt of an application, the FAA may conduct a payload reentry review independently of a reentry license application.

### § 435.8 Human space flight.

An applicant for a license to conduct a reentry with flight crew or a space flight participant on board the vehicle must demonstrate compliance with §§ 460.5, 460.7, 460.11, 460.13, 460.15, 460.17, 460.51 and 460.53 of this subchapter.

[Doc. No. FAA–2005–23449, 71 FR 75632, Dec. 15, 2006]

### § 435.9 Issuance of a reentry license.

(a) The FAA issues a reentry license to an applicant who has obtained all approvals and determinations required under this chapter for a reentry license.

(b) A reentry license authorizes a licensee to reenter a reentry vehicle and payload, if any, in accordance with the representations contained in the reentry licensee's application, subject to the licensee's compliance with terms and conditions contained in license orders accompanying the reentry license, including financial responsibility requirements.

**§ 435.11 Additional license terms and conditions.**

The FAA may amend a reentry license at any time by modifying or adding license terms and conditions to ensure compliance with 51 U.S.C. Subtitle V, chapter 509, and applicable regulations.

[Docket No. FAA-2012-0232, 77 FR 20533, Apr. 5, 2012]

**§ 435.13 Transfer of a reentry license.**

(a) Only the FAA may transfer a reentry license.

(b) An applicant for transfer of a reentry license shall submit a reentry license application in accordance with part 413 of this subchapter and satisfy the applicable requirements of this part. The FAA will transfer a reentry license to an applicant who has obtained all of the approvals and determinations required under this chapter for a reentry license. In conducting its reviews and issuing approvals and determinations, the FAA may incorporate any findings made part of the record to support the initial licensing determination. The FAA may modify a reentry license to reflect any changes necessary as a result of a reentry license transfer.

**§ 435.15 Rights not conferred by reentry license.**

Issuance of a reentry license does not relieve a licensee of its obligation to comply with requirements of law that may apply to its activities.

**§§ 435.16–431.20 [Reserved]**

**Subpart B—Policy Review and Approval for Reentry of a Reentry Vehicle**

**§ 435.21 General.**

The FAA issues a policy approval to a reentry license applicant upon completion of a favorable policy review. A policy approval is part of the licensing record on which the licensing determination is based.

**§ 435.23 Policy review requirements and procedures.**

Unless otherwise indicated in this subpart, regulations applicable to policy review and approval of the reentry of an RLV contained in part 431, subpart B of this subchapter shall apply to the policy review conducted for a license to reenter a reentry vehicle under this part.

**§§ 435.24–435.30 [Reserved]**

**Subpart C—Safety Review and Approval for Reentry of a Reentry Vehicle**

**§ 435.31 General.**

The FAA conducts a safety review to determine whether an applicant is capable of reentering a reentry vehicle and payload, if any, to a designated reentry site without jeopardizing public health and safety and the safety of property. A safety approval is part of the licensing record on which the licensing determination is based.

**§ 435.33 Safety review requirements and procedures.**

Unless otherwise stated in this subpart, regulations applicable to safety review and approval of the reentry of an RLV contained in part 431, subpart C of this subchapter shall apply to the safety review conducted for a license to reenter a reentry vehicle under this part.

**§ 435.35 Acceptable reentry risk for reentry of a reentry vehicle.**

To obtain safety approval for reentry, an applicant must demonstrate that risk for the proposed reentry,